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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L. a foreign entity;
MG FREESITES LTD, a foreign entity;
MINDGEEK USA INCORPORATED,
a Delaware corporation; MG
PREMIUM LTD, a foreign entity; MG
GLOBAL ENTERTAINMENT INC., a
Delaware corporation; 9219-1568
QUEBEC, INC., a foreign entity;
BERND BERGMAIR, a foreign
individual; FERAS ANTOON, a
foreign individual; DAVID
TASSILLO, a foreign individual; VISA
INC., a Delaware corporation;
REDWOOD CAPITAL
MANAGEMENT, LLC, a Delaware
limited liability company; REDWOOD
DOE FUNDS 1-7; COLBECK

Case No. 2:24-cv-04786-WLH-ADS

**DECLARATION OF LAUREN
TABAKSBLAT IN SUPPORT OF
JOINT STIPULATION TO
REQUEST (A) EXTENSION OF
REMAINING BRIEFING
SCHEDULE FOR
DEFENDANTS' RESPONSES TO
PLAINTIFF'S SECOND
AMENDED COMPLAINT IN
FLEITES ACTION AND (B)
LIMITED COORDINATION
FOR PURPOSES OF
RESPONDING TO
COMPLAINTS IN RELATED
CASES**

Judge: Hon. Wesley L. Hsu

Complaint filed: June 7, 2024

DECLARATION OF LAUREN TABAKSBLAT IN SUPPORT OF JOINT STIPULATION TO
REQUEST (A) EXTENSION OF REMAINING BRIEFING SCHEDULE IN *FLEITES* ACTION
AND (B) LIMITED COORDINATION FOR PURPOSES OF RESPONDING TO
COMPLAINTS IN RELATED CASES

1 CAPITAL MANAGEMENT, LLC, a
2 Delaware limited liability company;
3 COLBECK DOE FUNDS 1-3,
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5 Defendants.
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28 DECLARATION OF LAUREN TABAKSBLAT IN SUPPORT OF JOINT STIPULATION TO
REQUEST (A) EXTENSION OF REMAINING BRIEFING SCHEDULE IN *FLEITES* ACTION
AND (B) LIMITED COORDINATION FOR PURPOSES OF RESPONDING TO
COMPLAINTS IN RELATED CASES

1 I, Lauren Tabaksblat, declare and state as follows:

2 1. I am a partner with Brown Rudnick LLP and have been admitted *pro hac*
3 *vice* to practice before this Court. I am counsel for Plaintiff K.A. in the above
4 referenced matter, Plaintiff Serena Fleites in *Fleites v. MindGeek S.a.r.l. et al.*, Case
5 No. 21-cv-04920-WLH-ADS) (“*Fleites* Action”), and Plaintiffs in the Related Actions
6 identified below. I submit this declaration in support of the Parties’ Joint Stipulation
7 to Request (a) Extension of Remaining Briefing Schedule in *Fleites* Action and (b)
8 Limited Coordination for Purposes of Responding to Complaints in Related Cases.

9 2. On May 23, 2024, Plaintiff Serena Fleites filed both a Motion to Amend
10 the Caption and a Second Amended Complaint (the “SAC”), which identifies Colbeck
11 and Redwood as new defendants (ECF Nos. 384, 385, *Fleites v. MindGeek S.a.r.l. et*
12 *al.*, Case No. 21-cv-04920-WLH-ADS).

13 3. Between June 7, 2024 and August 20, 2024, Plaintiff’s counsel Brown
14 Rudnick LLP filed the following fourteen (14) additional actions against the same
15 Defendants in the United States District Court for the Central District of California,
16 including the above referenced matter, each of which has been designated as “related”
17 and assigned to the Honorable Wesley L. Hsu (the “Related Actions”):

- 18 • *K.A. v. MindGeek S.A.R.L. et al.*, 24-cv-04786;
- 19 • *N.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04788;
- 20 • *T.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04795;
- 21 • *X.N. v. MindGeek S.A.R.L. et al.*, 24-cv-04800;
- 22 • *N.Y. v. MindGeek S.A.R.L. et al.*, 24-cv-04801;
- 23 • *L.T. v. MindGeek S.A.R.L. et al.*, 24-cv-04791;
- 24 • *J.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04971;
- 25 • *W.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04977;
- 26 • *C.S. v. MindGeek S.A.R.L. et al.*, 24-cv-04992;

- *S.O. v. MindGeek S.A.R.L. et al.*, 24-cv-04998;
- *L.S. v. MindGeek S.A.R.L. et al.*, 24-cv-05026;
- *W.P. v. MindGeek S.A.R.L. et al.*, 24-cv-05185;
- *A.K. v. MindGeek S.A.R.L. et al.*, 24-cv-05190; and
- *J.L. v. MindGeek S.A.R.L., et al.*, 24-cv-07046.

4. On July 24, 2024, the Parties in the *Fleites* Action filed a Joint Stipulation Re Briefing Schedule for Defendants' Responses to Plaintiff's Second Amended Complaint, which set August 30, 2024 as Defendants' deadline to respond to the SAC ("July 24 Joint Stipulation") (ECF No. 419, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS).

5. On August 2, 2024, the Court granted the Parties' July 24 Joint Stipulation, and approved the following briefing schedule relating to the SAC (ECF No. 424, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS):

August 30, 2024: Each Defendant's Deadline to Answer, Move, or Otherwise Respond to the SAC;

October 15, 2024: Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

November 5, 2024: Each Defendant's Deadline to File Replies (if and as applicable);

November 22, 2024: Proposed Hearing on Each Defendant's Answer, Motion or Response (if and as applicable);

6. In 13 of the 14 Related Actions, the Court entered an Order Granting Joint Stipulation Re Briefing Schedule for Defendants' Motions to Dismiss that set October 15, 2024 as Defendants' deadline to answer, move, or otherwise respond to each complaint, and set January 10, 2025 as the hearing date for motions filed in response to each complaint. The case styled *J.L. v. MindGeek S.à.r.l. et al.*, Case No.

1 2:24-cv-07046-WLH-ADS (C.D. Cal. Aug. 20, 2024) (the “*J.L.* case”) was only
2 recently filed, so deadlines to respond to the complaint were not set in this Order.

3 7. In all 14 Related Actions, the Court later entered an Order Granting the
4 Parties’ October 4, 2024 Joint Stipulation to Request Limited Coordination for
5 Purposes of Responding to Complaints in Related Cases that extended the previous
6 schedule and (a) set October 21, 2024 as Defendants’ deadline to answer, move, or
7 otherwise respond to each complaint; (b) in each of the Related Actions, allowed each
8 defense counsel to file a single omnibus motion to dismiss for the parties that they each
9 represent which may incorporate by reference the arguments made in the parties’
10 motions to dismiss filed in the *Fleites* Action; (c) allowed Plaintiffs’ counsel to file a
11 single omnibus opposition to the collective motions to dismiss filed by Defendants in
12 the Related Actions, which may incorporate by reference the arguments made by the
13 Parties in the motion to dismiss briefing in the *Fleites* Action; (d) allowed each defense
14 counsel to file one omnibus reply to each motion to dismiss filed in the Related
15 Actions; (e) set January 10, 2025 as the hearing date for the motions filed in each case;
16 (f) increased the page limit for each omnibus motion to dismiss to 50 pages and each
17 omnibus reply to 35 pages; and (g) increased the page limit for Plaintiffs’ omnibus
18 opposition to 85 pages.

19 8. On October 7, 2024, the Parties in the *Fleites* Action filed a Joint
20 Stipulation to Request Extension of Remaining Briefing Schedule for Defendants’
21 Responses to Plaintiff’s Second Amended Complaint, which set October 21, 2024 as
22 Plaintiff’s deadline to file a single omnibus opposition to the collective motions to
23 dismiss filed by Defendants, increased the page limit for Plaintiff’s opposition to 85
24 pages, and increased the page limit for each Defendant’s reply to 20 pages (“October
25 7 Joint Stipulation”) (ECF No. 472, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-
26 cv-04920-WLH-ADS);

9. On October 11, 2024, the Court granted the Parties' October 7 Joint Stipulation, and approved the following briefing schedule relating to the SAC (ECF No. 473, *Fleites v. MindGeek S.a.r.l. et al.*, Case No. 21-cv-04920-WLH-ADS):

October 21, 2024: Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

November 8, 2024: Each Defendant's Deadline to File Replies (if and as applicable);

January 10, 2024: Hearing on Each Defendant's Answer, Motion or Response (if and as applicable).

10. Given the length and complexity of the SAC in the *Fleites* Action and the complaints in the Related Actions, and the number of motions to dismiss, and in the interest of judicial economy, efficient case management, conservation of resources of the over 30 parties involved in the Related Actions, and coordination with the briefing schedules in the *Fleites* Action and the Related Actions, good cause exists to extend the current briefing schedule and (a) in the *Fleites* Action, set October 30, 2024 as the deadline for Plaintiff to file a single omnibus opposition responding to the motions to dismiss filed by Defendants; (b) in the *Fleites* Action, set December 6, 2024 as the deadline for each Defendant to file a reply; (c) in the Related Actions, set October 30, 2024 as the deadline for each of the Defendants to answer, move, or otherwise respond to the complaints; (d) in the Related Actions, set December 12, 2024 as the deadline for Plaintiffs to file a single omnibus opposition responding to the motions to dismiss filed by Defendants; and (e) in the Related Actions, set January 8, 2025 as the deadline for each Defendant to file an omnibus reply.

11. Accordingly, the Parties now respectfully request that the Court grant this stipulation and enter the following schedule:

Fleites Action

October 30, 2024: Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

December 6, 2024: Each Defendant's Deadline to File Replies (if and as applicable);

January 31, 2025: Proposed Hearing on Each Defendant's Answer, Motion or Response (if and as applicable).

Related Actions

October 30, 2024: Each Defendant's Deadline to Answer, Move, or Otherwise Respond to the Complaints (if and as applicable);

December 12, 2024: Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

January 8, 2025: Each Defendant's Deadline to File Replies (if and as applicable);

January 31, 2025: Proposed Hearing on Each Defendant's Answer, Motion or Response (if and as applicable).

12. The undersigned respectfully submits given the length and complexity of the SAC in the *Fleites Action* and the complaints in the Related Actions, and the number of motions to dismiss, and in the interest of judicial economy, efficient case management, conservation of resources of the over 30 parties involved, and coordination with the briefing schedules in the *Fleites Action* and the Related Actions, good cause exists for the entry of this stipulation.

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2 I declare under penalty of perjury under the laws of the United States that the
3 foregoing is true and correct.

4 Executed on October 18, 2024, in New York, New York.

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6 /s/ Lauren Tabaksblat

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CERTIFICATE OF SERVICE

I, the undersigned counsel of record for Plaintiff Serena Fleites, certify that the foregoing instrument was served pursuant to the Federal Rules of Civil Procedure on October 18, 2024 upon all counsel of record via ECF.

Dated: October 18, 2024

BROWN RUDNICK LLP

/s/ Lauren Tabaksblat

Lauren Tabaksblat

Attorney for Plaintiff Serena Fleites